

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MONICA KIM DAILY,

Plaintiff,

v.

CAROLYN W. COLVIN,  
ACTING COMMISSIONER  
OF SOCIAL SECURITY,

Defendant.<sup>1</sup>

\*\*\*\*\*

Civil Action No. 12-cv-1078

**CONSENT ORDER TO  
REMAND PURSUANT  
TO SENTENCE 4 OF  
42 U.S.C. § 405(g)**

This matter having been opened to the Court by RICHARD S. HARTUNIAN, United States Attorney for the Northern District of New York, and Sandra M. Grossfeld, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to the fourth sentence of 42 U.S.C. § 405(g), and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

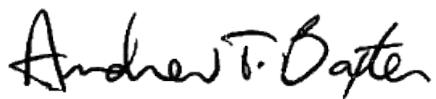
IT IS on this                    day of February, 2013;

ORDERED that the final decision of the Commissioner be REVERSED and REMANDED to the Defendant pursuant to the fourth sentence of 42 U.S.C. § 405(g), for further administrative proceedings.

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<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted, therefore, for Michael J. Astrue as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C § 405(g).

SO ORDERED:



Hon. Andrew T. Baxter  
Magistrate Judge  
United States District Court

Dated: February 15, 2013

The undersigned hereby consent to the form and entry of the within order.

RICHARD S. HARTUNIAN  
United States Attorney

By: s/ Sandra M. Grossfeld  
Sandra M. Grossfeld  
Special Assistant U.S. Attorney  
Bar Roll No. 514022  
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By: s/ Peter L. Walton  
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